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HIGH COURT OF CHHATTISGARH: BILASPUR

Writ Petition No. 2097 of 2004

Petitioner	Phagulal Sulakhe, aged – 46 years, son of late Shri Fattuji Sulakhe, posted as – Graduate Sub-Engineer, at present working as Assistant Engineer Current charge), at P.H.E. Sub-Division, Rajnandgaon, r/o. Jaltarang Parisar, College Road, Rajnandgaon, (C.G).
	Versus
Respondent	State of Chhattisgarh, through the Secretary, Public Health Engineering Department, Mantralaya, D.K.S, Bhawan, Raipur.

(Writ Petition under Article 226/227 of the Constitution of India)

SB: Hon'ble Mr. Justice Satish K. Agnihotri

Present:	Shri R.K. Kesharwani, counsel for the petitioner. Shri N.K. Agrawal, Deputy Advocate General with Ms. Dipali Pandey, Panel Lawyer for the State.

ORDER
(Passed on this 24th July, 2007)

The petitiner is Sub-Engineer who had obtained B.E. degree prior to joining the service in Public Health Engineering Department, Government of Chhattisgarh.

2) The question involved in the present case is as to whether there should be two separate gradation lists; one for Sub-Engineers who had obtained B.E. degree prior to joining the service and second for Sub Engineers who had diploma in engineering before joining the service and acquired B.E. degree in the course of their services, as per circular dated 7-10-1992.

3) The identical issue came into consideration before this Court in the matter of Writ Petition No.3277 of 2004 (Prabhat Saxena and others Vs. State

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of Chhattisgarh and another) and other connected matters. This Court vide judgment and order dated 8-6-2007 decided the issue holding that there should be two separate gradation lists to consider for promotions in the category of degree holders, who had obtained degree before joining the service and diploma holders, who had diploma in engineering before joining the service and acquired B.E. degree in the course of their services.

4) The question involved in the present case is squarely covered by the judgment and order dated 8-6-2007 passed by this Court in Writ Petition No. 3277 of 2004 (Prabhat Saxena and others (supra) and other connected matters.

5) This writ petition is accordingly disposed of in the same terms.

Sd/-
Satish K. Agnihotri
Judge

Raju